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Security Council

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## Letter dated 13 June 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey a letter that I have received from Judge Sang-Hyun Song, President of the International Criminal Court, in relation to the detention in Zintan, Libya, of four staff members of the Court (see annex).

President Song states that the four staff members have been held against their will by local authorities since Thursday, 7 June 2012, and that they were carrying out their official duties on a mission, pursuant to a decision of Pre-Trial Chamber I of the Court, when they were detained. He states that the decision, which requested the Libyan authorities to enable the visit with Mr. Saif al-Islam Gaddafi, was agreed to by the Libyan authorities prior to the arrival of the staff members in Libya. The purpose of their mission was, inter alia, to hold a privileged meeting between Mr. Gaddafi and his Court-appointed counsel.

The Security Council referred the situation in Libya to the Prosecutor of the International Criminal Court by its resolution 1970 (2011) of 26 February 2011.

I should be most grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

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## Annex

### Letter dated 12 June 2012 from the President of the International Criminal Court addressed to the Secretary-General

I would be grateful if you could bring the following urgent matter to the attention of the Security Council.

Since Thursday, 7 June 2012, four staff members of the International Criminal Court have been held against their will in Zintan, Libya, by local authorities. The staff members were detained while conducting their official duties on a mission pursuant to a decision of Pre-Trial Chamber I of the Court, inter alia, for the purpose of holding a privileged meeting between Mr. Saif Al-Islam Gaddafi and his defence counsel. The Libyan authorities agreed to facilitate this mission in accordance with the Pre-Trial Chamber's decision.

As you are aware, the International Criminal Court was seized of the situation in Libya by Security Council resolution 1970 (2011), adopted under Chapter VII of the Charter of the United Nations, which decided that "the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court".

The Court underlines its deep concern at the situation and respectfully asks the Security Council to urge the immediate and unconditional release of the Court's four staff members.

(*Signed*) Sang-Hyun **Song**